CONFESSES HE WROTE IT.

Brastus Wiman's Letter Admitting Forgery Allowed in Evidence.

DUN'S HEART WAS STEELED, THOUGH.

Many Objections Raised, as It Was Said to Be a Privileged Communication.

THE PROSECUTION RESTS ITS CASE.

iman's Ordeal on the Stand as he Faced His Accuser, Whose Enormous For-

The trial of Erastus Wiman on the charge of forgery reached a critical stage esterday. In the examination incidental to the selection of the jury, in the open-Wellman, and even in the testimony Mr. E. W. Bullinger, whose indorse ment on a check Mr Wiman is charged with having forged, although many dam aging statements were made against the name of the Staten Island magnate. nothing of a positively preposterous of seemingly inexplicable course of conduct stached itself to the defendant.

THE CASE BEGINS IN EARNEST. Up to the opening of the court yester day the case was in a condition that might be characterized as inciplently harmful to the reputation of a prominent man of affairs. Yesterday, however, the action began in earnest. Issues were joined with a vicious click that meant separation only at the hands of a jury. Teeth that had heretofore been momentarily displayed through the partings of lips in sarcastic smiles were now visible longer periods between lips opened victous and vindictive snarls. There ras a truce to all courtesy and politefamous law firms of New York went upon the stand and was worried by his ormer partners. R. G. Dun, the several millionaire, left his seat among the spectators, and, with apoplectic features, took a seat nearer the defendant, where he could glare at him. Albert H. rdman lost his temper completely, and came within an ace of a physical unter with a former friend and pa-The defendant, Wiman, went ough every possible degree of human emotion, now turning a lobster red, and now blanching to unearthly white; his honor, the Judge, became restless, and the only individual who was really selfed throughout the proceedings

The trouble began when Mr. Wellman shortly after the opening of the court, sought to spread upon the records a letwritten by Mr. Wiman to Mr. Dun on Feb. 20, 1893. Objection was in stantly raised by Gen. Tracy and Mr. Boardman, while Queen's Counsel, Greenshields, also involuntarily arose from his seat in mute but eloquent profrom his seat in mute but cloquent protest. It was, of course, instantly removed through the court room that this was the famous "letter of compassion" which, when Mr. Wiman was arrested, it was announced that he had written. Gen. Tracy obtained the ear of the Court and formally objected to the reading of the letter; first, on the ground that it was written by Mr. Wiman on the advice of his counsel, W. W. McFarland, and, second, that it was written and signed by Mr. Wiman in consequence of assurances that it would be better for him to do so, and that if he did so no proceedings would be taken against him,



MR. WELLMAN READS THE LETTER either civil or criminal. The Judge de-cided that both Mr. Wiman and Mr. Mc-Farland might be called to test the question as to the eligibility of the letter in evidence, and Mr. Wellman at once desnatched a messenger for Lawyer Mc-

A BAD MEMORY SOMEWHERE.

All this occurred while Mr. Robert D.
Douglass, one of the associates with Mr.
Wiman in the firm of R. G. Dun & Co.,
was on the stand. Pending the arrival
of Lawyer McFariand Mr. Hoardman, of
counsel for the defendant, took Mr. Douglass in hand. The latter is a little man
with prematurely gray hair. Mr. Hoardman is larse and tail. He glowered at
the witness as he addressed him.
"Don't you remember," asked Mr.
Poardman, "that one day when I called
at the office of R. G. Dun & Co. you
went to the safe and got the check upon
which Mr. Wiman indorsed the name of
C. W. Builinger, and showed it to me,
saying at the same time that you did so
in order that I might know what kind of
a rascal Wiman was and might cease to
be his friend?" Mr. Douglass replied that
he had no recollection of such an event.
Mr. Boardman looked ominous, and
drew himself to still greater height, as
he thundered at little Mr. Douglass,
who, by the way, is a son of Mr. Dun's
first partner, and who is claimed by Mr.
Wiman's lawyer as being responsible for
Mr. Dun's prosecution of Wiman, "Don't
you remember that you said as I passed
your desk on leaving the office of R. G.
Dun & Co. that day, and while you
were putting the check securely back in
the safe, I wish that — — man Wiman was in —?"

All the color flew out of the cheeks of
Mr. Douglass as he replied: "I never
said such a thing in my life about him
or any one else; now, do you hear that,
air?"

Mr. Boardman was breathing heavily,
and so was the witness. The inverting A BAD MEMORY SOMEWHERE.

or any one else; now, do you hear that, air?

Mr. Boardman was breathing heavily, and so was the witness. The jury at the same time was looking as if for the first time conscious that it was getting its money's worth. The Judge rapped his gavel and Gen. Tracy, who never becomes unduly excited, arose and called Mr. Wiman to the stand. It was explained that he was only to be questioned at this time concerning the admissibility of the letter which the District-Attorney had offered, and that his cross-examination by Mr. Wellman should be confined to that one point Mr. Wellman fretted under the restriction and wanted an assurance that if

not allowed to cross-examine Mr. Wiman at this point he (Mr. Wiman) should
be called by the prosecution again, so
that he might cross-examine him on
the main issues.

BELLIGERENT MR. WELLMAN.
"I would like to talk to him for about

that he might cross-examine him on the main issues.

BELLIGERENT MR. WELLMAN.

"I would like to talk to him for about four hours," said the belligerent Mr. Wellman.

"Oh, you'll probably have an opportunity," said Gen. Tracy calmily.

Mr. Wiman had in the meantime reached the chair. He was very red and apparently uneasy. He said that he had known Lawyer McFarland for twenty years and had always regarded him as a friend. Shortly after his rupture with Dun & Co. on account of the Builtinger check Mr. McFarland had come to him and had assured him that if he would write a certain sort of letter to Mr. Dunn it would compone the difficulties between himself—Wiman—and the latter. Mr. Wiman further swore that Mr. McFarland in offect dictated the letter, that is he selected terms to be used in swriting it, and he added with much emphasis that he would not have written it except under the assurance of Mr. McFarland, whom he believed to be a friend, that it was the best thing he could do.

Mr. Wellman at the conclusion of this testimony said that he did not care to cross-examine on this point, he was of the opinion that the jury could get a better blea of the truth or faisity of Mr. Wiman's pien by Batoning to Mr. Me-Farland. Lawyer McFarland then took deal like United States Senator Murphy and has a double bass voice. He is the had ever told Mr. Wiman what sort.





"I did not," replied the witness.
"Or that it would be a means of set-tling or adjusting it?"

room, to perceive that his counsel's efforts to keep from the jury his letter of confession, about which so much has been hinted, but the text of which has never been made public, had failed. Swinging around in his chair so as to directly face the Judge, Mr. Wiman awaited the decision. Judge Ingraham has also a peculiar manner of swinging around his chair. It is safe to say that during any one hour's session of his court he will face several times due northeast and west, with all the intermediate points of the compass. To face south would be an act of discourtesy to the lawyers, of which the Judge is of course incapable.

But in deciding the vital question whether to admit Mr. Wiman's letter of confession he swept a good many points of the compass. Finally he got his face exactly due north and said in a stern voice, "I will overrule the objection and admit the letter."

Mr. Weilman then faced the jury with a type-written copy of this crool document in his hand. To Gen. Tracy he handed the original letter, requesting him to be good enough to follow him as he read and to correct any mistakes that might be made in the transcription. Mr. Weilman is sometimes dramatic. He was very dramatic yesterday. He

He was very dramatic yesterday.



read the letter with a deliberation which would have rendered it altogether pos-

on the back of two his breder. as cone without any ide not have sizned a pr that I had any or thim. Simply and examitted this act my tudently, and can of the offense, ex-

ERASTUS WIMAN ON THE STAND.

of a letter to send to Mr. Dun. As gone to Wiman after the discovery of the forged check and told him that he had better write to Mr. Dun and confess gested anything as to the wording of the letter.

Bank. He showed that in that case the greated anything as to the wording of the letter.

Bank of the backs and sent them to the Commercial Bank of South Carolina had drawn checks to the orders of various parties and had then indorsed the names of those parties on the backs and sent them to the Commercial Bank for collection. It was proved that the cashier had used these names on checks in an entirely unwarranted manner, but when the receiver (Phillips) of the Sumter Bank sued the Commercial National Bank to recover on the face of the checks, on the ground that they were not forgeries, it was held that they were not forgeries, and that a forgery could not be committed by any man having power to draw a check through the writing of another man's name on the backs of such check.

A FIRM MEMBER, SAYS TRACY.

In the case of Mr. Wiman, Gen. Tracy claimed, it was shown that he was a

GEN. TRACY OBJECTS.

The cross-examination of this digained witness by Gen. Tracy was deeply interesting, through the fact that up to a comparatively short time ago they were both members of the same legal firm. "Did you," said Gen. Tracy, "tell Mr. Witnam that if he would write to Mr. Dun the letter he did write it would compose the difficulty between them?"

NEB-THER AND NI-THER.
"I did not," replied the witnesse.
"Or that it would be a means of set-

count.

Justice Ingraham refused to conside the motion to instruct the jury to acquit, and after recess Mr. Boardman made the opening speech for the defense. He was very bitter in his denunciations "Or that it would be a means of settling or adjusting it?"
"No sir."
"No sir." said Gen. Tracy.
"Ni-ther?" replied Mr. McFarland, and even the Court could not refrain from joining in the general laugh that followed.
But Mr. Wiman did not laugh. He seemed, first of all present in the courtroom, to perceive that his counsel's efforts to keep from the jury his letter of confession, about which so much has



MR. BOARDMAN SPEAKS. this defendant, I would rather be in Erastus Wiman's position on the great day of judgment than in the position of this man Dun, with his \$1,000 a day in

day of judgment than in the position of this man Dun, with his \$1,000 a day income, whose inhumanity, avarice and disloyalty to the man who was instrumental in making his fortune are beyond anything I ever heard of." Mr. Boardman's presentation of Mr. Wiman's case was admitted by all who heard it to be very strong. He claimed that for nearly forty years Wiman had worked with and for Dun, and had made him rich; that the two men had been engaged in many outside enterprises, and that the present still was brought only because of the jealousy of Mr. Wiman by young Mr. Douglass, whose father was Dun's original partner, and who had poisoned the mind of Dun against the man he, Douglass, hated.

Mr. Roardman promised before the defense was nil in to show that Dun was indebted to Wiman for his presperity and wealth, and not Wiman to Dun. He admitted that his client had been a soft-hearted fool—"there was many a bigger fool in some respects." said he-but that he was guilty of a crime or of any intention of a crime he emphatically denied.

Mr. Wiman was then called to the

denied.

Wiman was then called to the
I, Hefore his direct examination,
ucted by Gen. Tracy, was completed,
hour for adjournment arrived. On
t examination Mr. Wiman rehearsed iman, immediately after the similar that "foolishmess" in connection with the Rullinger account, to go to the Architic Republic or same other spot of volvity remote from the United States and Canada, and that the only reason of he present attempt to lock him up in orison is because R. G. Dun and the counter members of that concern are sealous of his national fame, and fearful that he will establish a rival business agency.

agency. The Woman Lion Tamer Will Get Well. Mile. Beatrice, the lion tamer, who was bitten in the face by one of her pets during a performance on the old iron pier at Coney Island Sunday night, will recover. Dr. Ward says it will be sev-eral weeks before she will be able to leave her bed.

Three Hundred and Fifty Students Receive Degrees from Columbia's Schools of Learning.

PROF. HENRY DRISLER HONORED.

The Barnard Graduates Were Cheered and Many Honorary Sheepskins Awarded.

Carnegle Music Hall, Fifty-seventh street and Seventh avenue, was filled to the very dome last evening with persons who had come to see 350 students receive sheepskins at the hands of President Seth Low and go out into the world graduates of Columbia College. It was the one hundred and fortieth commencement of old Columbia, and is memorable in the fact that it marks the retirement of Prof. Henry Drisler, Jay Professor emeritus of the Greek language and literature, after half a century's continuous service in the college. President Seth Low sat in a large chair placed in the centre of the stage close to the footlights, and grouped about him were all the members of the faculty. Rev. Mor

gan Dix sat near.

At 8.15 the procession of students was formed and marched down the middle aisle of the auditorium to the stage, and the exercises were opened with prayer by Rev. Cornelius R. Duffie, chaplain emeritus of the college, after which a fine orchestra, placed far back on the stage played a selection. Then the long and rather tedious programme of presenta-tion began. First came the Bachelors of Arts, of whom there were fifty-eight, from Columbia College proper, and women from Barnard College. These last were Evangeline Rollinson Bridgort, Ella Fitz-Gerald Bryson, Helen Brigham Crocker, Estella Demar-est, Agnes Irwin Ella Jane Jones and Laura Landay. Following the bachelors of arts came

Laura Landay.

Following the bachelors of arts came sixty-eight backelors of laws and one master of laws, who was Ralph Wesley Hyatt. Then came 120 doctors of medicine; five engineers of mines; tweive civil engineers; one bachelor of philosophy in the course of geology and palaeontology and five in the course of analytical and applied chemistry; thirty-two masters of arts and seventeen doctors of philosophy.

two masters of arts and seventeen doctors of philosophy.

This closed the part of the programme devoted to the conferring of degrees upon the new graduates, and it was followed by the bestowal of honorary degrees, the list of those who received this distinction being headed by George William Hill, of the United States Naval Observatory, who had already re-

and prizes, the name of each recipient being greeted with foud hand-clapping and now and then a spontaneous cheer of enthusiasm from among the students. The honors and prizes were as follows:

In the School of Arts, is English, H. McLood Johnson; in history, C. B. Smith; in mathematics, J. F. Berry; in philosophy, F. L. Luqueer, in philosophy, F. L. Luqueer, in philosophy, F. L. Luqueer, in the student went to F. L. Luqueer, Walter H. Lieburg atudent went to F. L. Luqueer,

Henry Hecareuhner, A. M., and E. S. Menken, respectively.

The Tappan Prize of \$150 was awarded to Soloman M. Strook, A. M. David Baudier, A. M., Columbia's well-known crew coach, got the prize lectureship, worth \$500, lin the College of Physicians and Surgeons the three Harsen cillical prizes went to Athert A. Berg, Emanuel Libman and W. H. Luckett, The three Harsen examination prizes, worth \$500, \$100 and \$200, went to Linaseus E. La Preta, A. B.; Charles Bartan and E. Libman, A. B.



DR. VANDEWATER OPENS WITH PRAYER. The Alumni Fellowship in anatomy went to F. Brockway, M. D.; in physiology, to R. J. Cunningham, M. D., and in pathology, to W. S.





and debate prizes were awarded as fol-

Junior Orator Contest-Howard White, first; Ray H. Carter, second; Andrew Rear Admiral Cherardi Defers Flacing the Imbrie, third, and W. H. Butler, fourth; MacLean prize of \$100, B. L. Hirschfield. In Senior Debate-B. W. McCready Yard, decided yesterday after consulta-Sykes, first; Donald McColl, second; tion with Capt. Glass and Lieut-Com-

In Senior Debate—B. W. McCready Sykes, first, Donald McColl, second; Charles Warson, third.

Fellowships were awarded to Charles A. Robbins, G. R. Robbins, G. Robbins, G. R. Robbins, G.

Startling Charges Against the Builders

Officer and a Director.

PHILADELPHIA, June 13.—The Third Avenue Railway Company, of New York City, to-day filed an affidavit of defense in the Common Pleas Court to the action brought against it by William Wharton, jr., & Co. incorporated, of this city, to recover £1,583.59 for materials furnished and work done in the construction of the defendant's cable railway in New York.

The statement of the Wharton claim sets out that on Oct. 28, 1890, the parties entered into a contract for the work, part of which was carried out, but that the Wharton Company, after manufacturing the metallic work, notified the railway company that it was ready for inspection, and asked for directions concerning the shipping of the material, but the railway company, it was averred, refused to accept the material, which has since been stored in a lot at Twenty-fifth and Ellsworth streets, awaiting disposition. The amount claimed was for these materials.

FRAUD CHARGED.

The affidavit of defense starts out with the statement that the execution of the contract of Oct. 28, 1890, was procured by fraud on the part of the Wharton Current of Oct. 28, 1890, was procured by fraud on the part of the Wharton Company. It was averred, refused to accept the material, which has since been stored in a lot at Twenty-fifth and Ellsworth streets, awaiting disposition. The amount claimed was for these materials.

FRAUD CHARGED.

The Oluke said that he lived at No. 70 West Eighty-eighth street with his wife and child.

The Ducke said that he had been in this country, personal or real. I think i have property in Belgum, but I doe not receive an income in the construction of the work, notified the was not. He could not say that he was worth \$10,000 art that time.

The Winess was asked if he was worth \$10,000 art that time.

It live in a flat, and don't know whether there is a lease of it or not."

After he was pressed considerably the Duke asked for an adjournment, which was granted and he said was not. He could not say that he was worth \$10,000 art that time

with the statement that the execution of the contract of Oct. 28, 1890, was procured by fraud on the part of the Whar-The Alumni Pellowship in anatomy went to P. J. Brockway, M. D. in physiology, to R. J. Cunningham, M. D., and in pathology, to W. S. Stone M. D. It is the pathology to W. S. Stone M. D. It is the previously agreed with an executive of ficer and a director of the railway company that these officers should receive the School of Mines was awarded to Seth Justia Tempis, Ph. R. The James Gordon Bennett prise went to A. C. Philiubs, of the School of Arts. The Municipal Election prize was awarded to Raymond Rubenstein, A. B. The Jesse Seligman Fellowship in philosophy went to George C. Sikes, A. M. Miss Anna Stockar Petiti, B. S. of Barnard, received the Herman Botanical Scholarship.

At the end of this part of the programme, Rev. Morgan Dix came forward and, on behalf of the trustees, made a speech full of warmth and feeling, which he addressed to Prof. Drisler, who arose and stood facing him on the platform during the address, at the closes of which Mr. Dix handed him the gold medal and memorial prepared in his honor. Then President Low made a short speech, in which he said that Prof. Augustus C. Merriam had been a short speech, in which he said that Prof. Augustus C. Merriam had been as a store than seven miles of this Alticum Profession of the payments were to be made at the rate of \$185,000 per mile, keeping 10 per cent. ton Company; that the plaintiffs had

of \$189,000 per mile, keeping 10 per cent.
as a reserve.

A little more than seven miles of this road was straight road of easy construction, and less than a mile was composed of pieces, occurring at several places on the road, requiring curves, vauits and other matters of difficult and expensive construction. It is believed, the affidavit says, that this part of the road would have cost at the rate of \$1,000,000 per mile or more. The price of \$200,000 per mile was reached by averaging the cheap with expensive construction.

DID ONLY THE EASY WORK.

DID ONLY THE EASY WORK.
When the contract was abandoned, it is alleged, only the cheap work had been done. The railroad company then had to make a contract for the building of the difficult part, and was obliged to pay 11,350,000. As they had already paid the Wharion Company \$1,250,000, this made the whole cast of the road \$2,600,000, whereas the Wharton Company had contracted to do the entire work for \$1,500,000.

It is believed, the affidavit says, that by arrangement with the executive offi-

OLD PRINCETON'S BIG CLASS.

It Was the 147th Commencement and 188

Men Carried Away the Prized Sheenskin.

Princeton College yesterday celebrated its 147th commencement. The graduating class was the largest in its history, numbering 188 men.

Charles A. Robinson delivered the Latin salutatory, Paul Erdman the English salutatory and Alexander McGaffin the valedictory.

Honorary orations were delivered by Albert T. Davis, G. H. Walles, Edward James Patterson and Donald MacColl.

In the two chief contests in oratory and debate prizes were awarded as follows.

THE CINCINNATI NOT READY YET.

New Cruiser in Commission. Rear-Admiral Gherardi, of the Navy-

DUKE D'AUXY IS MINUS DUCATS.

Her Grace, the Duchess, Runs the House and Gives Him Money, He Testifies-Now Sued by His Green.

Arthur Charles Eugene Edouard, Duke d'Auxy, was examined in supplement ary proceedings yesterday by Lawyer Julius Lehman, of No. 237 Broadway. in an action brought by Nellie Schilling. Mrs. Schilling keeps a grocery store on Columbus avenue, and on Feb. 20, 1894, she got a judgment for \$78.24 for groceries against the Duke in the Ninth District Court. On May 14 Judge Doly in the Court of Common Pleas ordered It Is Asserted that the Wharton Company, his examination in supplementary proceedings before William J. Bogman, of No. 251 Broadway, as referee. Ovide Dupre appeared as counsel for the

STAND BY AFTER A COLLISION.

Capt. Baker Didn't, It Is Charged, and Must Answer in Court.

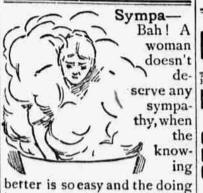
Capt. J. J. Baker, of the ship Kenilvorth, lying at pier 47 North River, was arrested yesterday afternoon by Deputy Marshal Solomon and taken before United States Commissioner Shields. He accused of a misdemeanor under the law passed by Congress in 1890 making compulsory for the masters or persons in charge of vessels in collision to remain, whenever practicable, by one an-

in charge of vesseis in collision to remain, whenever practicable, by one another until assured that aid is not required. Failure to comply with the law is considered a misdemeanor, punishable by a fine of \$1,000, half going to the informer, or a term of imprisonment not exceeding two vears.

The compainant is Capt. Albert Christensen, of the schooner Thomas A. Sawyer. He alleges being run down by the Kenilworth off Cape Delaware on the night of May 19. He states that the Kenilworth off Cape Delaware on the night of May 19. He states that the Kenilworth made no effort to save him and his men, but salled away without heed of their cries for help. The schooner was so badly damaged that she began to sink. She was set on fire and the crew took to the boats, and after three days and nights of exposure were picked up by the Viola Reppard and taken to Hampton Roads.

Capt. Baker was paroled until to-day. He said he doesn't believe the schooner was as badly damaged as claimed; that she was thirty-five years old and of little value. He did stay with her, he alleged, until he found that his ship was leaking badly. His cargo of tea being valued at \$1,000,000 he deemed it his duty to hurry to port. He heard no cries for help.

This is the first arrest under the new



better is so cheap. Think of inhaling the steam and odors from a tub of dirty clothing. perhars from the sick room, perhaps much soiled from J. & S. BAUMANN weak lungs and throat, the 8th Ave., Cor. 19th St. germs of disease etc., etc. It's all so unnecessary and so ineffective. The clothes are not as clean (surely not as pufe) Our Trimmed Hats as they ought to be, when the are made to wear not to be kept in a showcas as they ought to be, when the and admired). They are serviceable, tasty, and more than all, reasonable. clothes in Pearline and water -directions on each package -every grocer has it.

vare of imitations. 254 JAMES PYLE, M. Y.

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150 the late ALL-WOOL

BOYS' LONG PANTS SUITS,

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